

REMARKS/ARGUMENTS

Claims 1-3 and 5-10 are pending herein. Claim 1 has been amended as supported by Fig. 1 of the present application, for example.

Examiners Krause and Hannon are thanked for courtesies extended to Applicant's undersigned representative during a telephonic interview on August 14, 2007. The substance of that interview has been incorporated into the following remarks.

During the interview, Examiner Krause agreed that the amendments to claim 1 submitted above overcome the prior art of record.

1. Claims 1, 3, 6 and 8 were rejected under §102(b) over Teramachi '039. To the extent that this rejection may be applied against the amended claims, it is respectfully traversed.

Claim 1 recites a rolling guide apparatus comprising, among other things, a track rail comprising a thin plate portion, first and second rolling member contact plates projecting outwardly from the central plate portion, and first and second fixed plates projecting outwardly from the central plate portion. Each of the rolling member contact plates have a horizontal portion located at a root side adjacent the central plate portion and an inclined arcuate portion located at a projecting side opposite the root side. Claim 1 has been amended to further clarify that each of the horizontal portions has an exposed horizontal upper surface and an exposed lower surface, and each of the inclined arcuate portions curve to a height further from the fixed plates than the horizontal portions.

Teramachi '039 discloses, in Fig. 6, that a track rail 22 is to include a central plate portion 44 and first and second rolling member contact plates 46 projecting outwardly from the central plate portion 44. Teramachi '039 further discloses, in Fig. 6, that no portion of the rolling member contact plates 46 extends to a height greater than a horizontal upper portion 50 of the track rail. Even further, Teramachi '039 discloses, in Fig. 6, that the exposed lower surface of the rolling member contact

plates 46 is to incline away from the base 52 of the track rail such that the exposed lower surface is not horizontal.

For at least the foregoing reasons, Teramachi '039 fails to disclose or suggest a track rail comprising first and second rolling member contact plates, each of the rolling member contact plates having a horizontal portion located at a root side adjacent the contact plate portion, the horizontal portion having an exposed horizontal upper surface and an exposed horizontal lower surface, as recited in claim 1. Further, Teramachi '039 fails to disclose or suggest that each of the rolling member contact plates have an inclined arcuate portion located at a projecting side opposite the root side, the inclined arcuate portion curving to a height further from the fixed plates than the horizontal portions, as recited in claim 1. Since claims 3, 6 and 8 depend directly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

2. Claim 2 was rejected under §103(a) over Teramachi '039 in view of Willard. Applicant respectfully submits that the arguments submitted above distinguish claim 1 from Teramachi '039. Since Willard fails to overcome the deficiencies of Teramachi '039, and since claim 2 depends directly from claim 1, claim 2 is also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

3. Claims 5, 7 and 10 were rejected under §103(a) over Teramachi '039 in view of Teramachi '158. Applicant respectfully submits that the arguments submitted above distinguish claim 1 from Teramachi '039. Since Teramachi '158 fails to overcome the deficiencies of Teramachi '039, and since claims 5, 7 and 10 depend either directly or indirectly from claim 1, those claims are also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

4. Claim 9 was rejected under §103(a) over Teramachi '039 in view of Morita. Applicant respectfully submits that the arguments submitted above distinguish claim 1 from Teramachi '039. Since Morita fails to overcome the deficiencies of Teramachi '039, and since claim 9 depends directly from claim 1, claim 9 is also believed to be allowable over the applied prior art. Accordingly, reconsideration and withdrawal of the present rejection are respectfully requested.

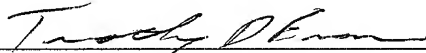
For at least the foregoing reasons, Applicant respectfully submits that all pending claims herein define patentable subject matter over the art of record. Accordingly, the PTO is requested to issue a Notice of Allowance for this application in due course.

If Examiner Krause believes that further contact with Applicant's attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicant's attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

August 23, 2007
Date


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